

Demarcation of the Inland and Coastal Zone in the Oceania Regional Response Team Area of Responsibility

USEPA supplies FOSCs for incidents originating in the inland zone while the U.S. Coast Guard supplies FOSCs for incidents originating in the coastal zone and for incidents on the high seas that may impact U.S. waters. The place of origin of the spill or release (regardless of the movement of discharged material caused by tide, current, wind, gravity, etc.), will determine which Agency has initial jurisdiction. Jurisdiction can shift depending on which area is vulnerable to the greatest threat (40 CFR 300.140).

For the State of Hawaii, the U.S territories of American Samoa and Guam, and the Commonwealth of the Northern Mariana Islands, the inland/coastal line of demarcation is generally defined by the mean high-water mark. This is the shoreline shown on NOAA nautical charts by a heavy line. This general inland/coastal jurisdictional boundary can be further defined for emergency response actions in the local area contingency and geographic response plans.


For releases of petroleum oil on land owned or managed by the federal government, the USCG or USEPA supplies the FOSC, depending on whether the release originates in the coastal zone or the inland zone. For releases of hazardous substances, pollutants or contaminants, when the release is from a fixed facility or a vessel that is under the control of DOD, DOE or another federal agency, DOD or DOE will provide the OSC/RPM for all response actions for facilities or vessels under DOD or DOE control. Other federal agencies shall provide OSCs for all non-emergency removal actions and RPMs for all remedial actions, for releases from facilities or vessels under their control (40 CFR 300.120(b) and (c)).

For commercial waterfront facilities, the oil spill response jurisdictional boundary will follow the same USCG/USEPA boundary for the enforcement of pollution prevention regulations. The Coast Guard will respond to spills originating from the 'transportation related' portions of the facility and USEPA will respond to releases originating from the 'non transportation related' portions of the facility.

U.S. EPA does not currently have response personnel stationed in the Oceania AOR. As described in 40 CFR 300.135(b), the first federal official

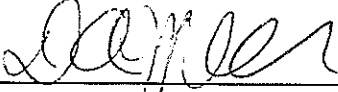
affiliated with an NRT member agency (for example, a Coast Guard official with District 14, Sector Honolulu or Sector Guam, a US Navy official with Pearl Harbor or Apra Harbor, or a Defense Coordinating Officer with the Department of Defense) should coordinate activities under the NCP until an EPA FOSC can arrive to assume responsibility for the federal response in the inland zone. EPA Region 9 policy establishes that the EPA FOSC on response duty must be available for mobilization within 60 minutes of notification by the EPA duty officer. An EPA FOSC will deploy to a release of oil or hazardous material in the inland zone if a federal response is required. However, given travel times and flight availability from the U.S. mainland to Hawaii or other Central and Western Pacific islands, it may be 24 to 48 hours before an EPA FOSC arrives on scene."

Approved



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10 March 2016
Date



Daniel Meer
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22 March 2016
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